

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Yow-Pin Lim, *et al.*

Application No.: 10/578,449

Confirmation No.: 2106

Filed: April 4, 2007

Art Unit: 1654

For: *PREPARATION AND COMPOSITION OF
INTER-ALPHA INHIBITOR PROTEINS FROM
HUMAN PLASMA FOR THERAPEUTIC USE*

Examiner: A. A. Mohamed

INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants invite the attention of the Patent and Trademark Office to the references listed on the attached PTO/SB/08. Applicants respectfully request that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

The references listed on the attached PTO/SB/08 were cited in a Supplementary European Search Report transmitted on February 3, 2010 in European patent application No. 04810367.5, which corresponds to the above-referenced U.S. patent application.

In accordance with 37 C.F.R. §1.98(a)(2)(ii), Applicants have not submitted copies of published U.S. patent applications. Applicants note that the Hoffer et al., Lim et al., and Yang et al. references cited in the Supplementary European Search Report are already of record in the instant application, having been cited in the Information Disclosure Statement filed on May 4, 2006. Accordingly, Applicants have not submitted copies of the Hoffer et al., Lim et al., and Yang et al. references but do submit herewith copies of the remaining non-patent literature references cited in the Supplementary European Search Report in accordance with 37 C.F.R. §1.98(a)(2). Applicants also submit herewith a copy of the Supplementary European Search Report.

In accordance with 37 C.F.R. §1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(a) exists.

In accordance with 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

Applicants submit that the Information Disclosure Statement is in compliance with 37 C.F.R. §1.98 and respectfully request the Examiner to consider the references listed on the attached PTO SB/08.

Applicants file this Information Disclosure Statement: (1) within 30 days from the date of transmission (February 3, 2010) and date of receipt (February 5, 2010) of the Supplementary European Search Report (37 C.F.R. §1.704(d)); and (2) more than three months after the U.S. filing date and after the mailing date of the first Office Action on the merits but before the mailing date of a Final Office Action or Notice of Allowance (37 C.F.R. §1.97(c)). Further, Applicants hereby state that each reference listed on the attached PTO/SB/08 was first cited in any communication from a foreign patent office in a counterpart application not more than three months prior to the filing of this Information Disclosure Statement (37 C.F.R. §1.97(e)(1)).

Accordingly, Applicants believe that no fees are required for entry and consideration of this Information Disclosure Statement. Nevertheless, Applicants authorize the Director to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to Deposit Account No. 04-1105, under Order No. 61959US(51580).

Dated: February 24, 2009

Respectfully submitted,

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